

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	Case No. 8:05 - CR-162
)	
Plaintiff,)	
)	
v.)	AFFIDAVIT OF
)	DOUGLAS J. STRATTON
RUBEN LOPEZ,)	AND ANDREW D. WEEKS
)	
Defendant.)	

STATE OF NEBRASKA)
) ss.
COUNTY OF MADISON)

Andrew D. Weeks, being first duly sworn upon his oath, deposes and states:

1. This Affidavit is made upon my own personal knowledge, information and believe.
2. The law office of Stratton, Ptak & Kube, P.C., and specifically, Douglas J. Stratton and Andrew D. Weeks, were originally contacted by the Defendant, Ruben Lopez-Cazares, on August 4, 2005. The Defendant advised that he wanted our services to try his case.
3. An agreement was reached pursuant to which the Defendant was to pay a retainer to retain the services of Mr. Stratton and Mr. Weeks. Furthermore, an agreement was reached that Mr. Lopez-Cazares would obtain a subsequent retainer to allow for the retention of a local Omaha attorney to help handle procedural matters on behalf of the Defendant.
4. Based upon the representations that the retainer would be forthcoming for local counsel, Douglas J. Stratton and Andrew D. Weeks entered their appearance on behalf of the Defendant.

Exhibit "A"

5. The Defendant did not have sufficient funds to allow for the retention of local counsel. In addition, Defendant was not able to pay the retainer originally agreed upon by the parties.

6. Trial is scheduled to commence on Tuesday, November 22, 2005. Despite the failure of the Defendant to comply with the original agreement regarding retaining local counsel and regarding the payment of retainer to Stratton, Ptak & Kube, P.C., Douglas J. Stratton and Andrew D. Weeks were prepared to commence trial on Tuesday, November 22, 2005.

7. On November 17, 2005, a superseding indictment was filed indicting the Defendant, and three additional co-defendants. I did not learn of the superseding indictment until November 18, 2005, at 8:30 a.m.

8. I appeared with Mr. Lopez-Cazares at his initial hearing on the afternoon of November 18, 2005. During this hearing, the Defendant plead not guilty.

9. At the same hearing, a progression order was entered.

10. The office of Stratton, Ptak & Kube, P.C. consists of three partners and one associate. The firm practices in Northeast Nebraska, primarily, and is a general practice law firm.

11. The original indictment alleged conspiracy from January 1, 2003, and March 30, 2005. The superseding indictment alleged conspiracy between January 1, 1996, and March 30, 2005. In addition, it lists four other co-conspirators which were not in the original indictment. Given this information and the need for additional discovery, the need to attend hearings in Omaha, it presents a financial hardship to Douglas J. Stratton and Andrew D. Weeks to continue to represent the Defendant in this matter.

12. In addition, a substantial portion of both Douglas J. Stratton and Andrew D. Weeks' practice involves handling criminal cases in and around Norfolk, Madison County, Nebraska. Because of the details surrounding this case, it is apparent that continuing to represent the Defendant in this matter may compromise this Defendant's ability to obtain a just result in this case.

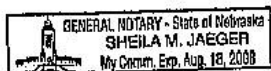
13. This Defendant has no objection to this Court allowing Douglas J. Stratton and Andrew D. Weeks to withdraw in this matter.

FURTHER AFFIANT SAYETH NOT.

Andrew D. Weeks

Andrew D. Weeks

Subscribed and sworn to before me this 21st day of November, 2005.



Sheila M. Jaeger

Notary Public